

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF ILLINOIS

UNITED STATES OF AMERICA,)	
)	
Plaintiff,)	
)	
vs.)	No. 11-CR-30108-DRH
)	
RICHARD J. KLEMIS,)	
)	
Defendant.)	

**SECOND MOTION FOR PAYMENT
OF INTERIM ATTORNEY'S FEES AND EXPENSES**

Now comes the undersigned, WILLIAM D. STIEHL, JR., Court-appointed attorney for the Defendant, RICHARD J. KLEMIS, and prays this Honorable Court to enter an order permitting payment of interim attorney's fees and expenses from CJA funds and for reasons states:

1. The undersigned is the Court-appointed attorney representing the Defendant, RICHARD J. KLEMIS.
2. The Defendant was charged with Conspiracy to Distribute and Possess with Intent to Distribute Heroin, Distribution of a Controlled Substance resulting in the death of the person to whom the controlled substance was allegedly distributed, Distribution of a Controlled Substance to a person who sustained serious bodily injury as a result of the use of the controlled substance, Use of a Person Under 18 Years of Age in a Drug Operation, four additional counts of Distribution of Controlled Substance to a Person Under the Age of 21, and Possession of a Controlled Substance.

3. Defendant's attorney received in excess of 5300 pages in discovery, as well as more than thirty DVD's containing recorded conversations and interviews, all of which had to be reviewed, organized, and analyzed in preparation for trial.

4. Defendant is currently housed in the Marion County, Illinois, Jail, which necessitates traveling three hours round trip for the undersigned to confer with the Defendant.

5. This matter was tried to a jury from January 26, 2015, through February 4, 2015. The Government called nearly fifty (50) witnesses during the trial.

6. Because of the amount of discovery tendered by the Government and the necessity to prepare for trial, the undersigned devoted the majority of his time in December and January to preparation for the trial.

7. The undersigned is a solo practitioner, and the amount of time necessary in preparation and trial of this case necessitated that the undersigned not devote time to other matters which would have generated income during December, January and the beginning of February.

8. Unless this Honorable Court enters an Order granting the undersigned's Supplemental Motion for Interim Attorney's Fees and Expenses, the undersigned will not be permitted to submit a voucher for payment until after Defendant has been sentenced and a Notice of Appeal has been filed in the District Court and a Docketing Statement, Disclosure Statement, Seventh Circuit Transcript Information Sheet, Status Report and Motion for Leave to Withdraw as Counsel have been filed in the Court of Appeals and the Court of Appeals has entered an Order permitting the undersigned to withdraw as Defendant's attorney.

9. Based upon the undersigned's experience, it is likely that the Court of Appeals will not enter an Order permitting the undersigned to withdraw before July 1, 2015.

10. The undersigned previously filed a Motion for Interim Attorney's Fees and Expenses (Doc 49) and a Supplement to Motion for Interim Attorney's Fees and Expenses (Doc 88) which was denied (Doc 89) because the undersigned had provided insufficient information to permit the Court to rule on the Motion.

11. When he filed the Supplement to Motion for Interim Attorney's Fees and Expenses, the undersigned was under the mistaken impression that the Supplement would be for attorney's fees incurred through the date of filing of the original Motion for Interim Attorney's Fees and that he would provide the necessary itemization of fees and expenses with the electronic filing of a CJA20 form.

12. Attached hereto under seal as Exhibit A is a completed CJA20 form which itemizes the undersigned's expenses through trial and explains why the fees and expenses exceed the maximum permitted. If approved, a form will also be filed electronically.

13. Because of the amount of time and expenses incurred in the preparation and trial of this case, the undersigned requests that this Honorable Court approve his request for payment of interim fees and expenses.

WHEREFORE, the undersigned prays this Honorable Court to grant his Second Motion for Payment of Interim Attorney's Fees and Expenses and for such other and further relief as this Court may deem just.

/s/ William D. Stiehl, Jr.
WILLIAM D. STIEHL, JR. - #2736209
Attorney for Defendant, Richard J. Klemis
2 Park Place Professional Centre
Belleville, IL 62226
618-234-9900

CERTIFICATE OF SERVICE

The undersigned certifies that a copy of the foregoing Second Motion for Payment of Interim Attorney's Fees and Expenses was served upon Robert L. Garrison, Assistant U.S. Attorney, Office of the United States Attorney, Nine

Executive Drive, Suite 300, Fairview Heights, IL 62208, attorney of record for Plaintiff, through the electronic case filing system of the U.S. District Court for the Southern District of Illinois, this 27th day of March, 2015.

/s/ William D. Stiehl, Jr.
WILLIAM D. STIEHL, JR.